



Paul F. Heaton

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Practice Areas

Appellate

Contract & Commercial
Litigation

ERISA Litigation

Financial Services Litigation

Insurance & Reinsurance

Litigation

Non-Compete & Trade
Secrets

Real Estate & Construction

Admissions

Wisconsin

Education

Juris Doctor, Marquette
University Law School,
summa cum laude

Bachelor of Arts, Marquette
University, *magna cum laude*,
English and Philosophy



Paul Heaton is a shareholder in Godfrey & Kahn's Litigation practice in the firm's Milwaukee office.

Prior to returning to private practice, Paul served as Vice President-Litigation Counsel for Northwestern Mutual, with responsibility for the direction and oversight of all of the company's litigation, including litigation and arbitration disputes over insurance and investment products, real estate investments and public and private securities investments, the company's national sales distribution system, as well as regulatory challenges arising under the jurisdiction of FINRA, the SEC, and individual state insurance departments. In this role, Paul worked closely with the company's in-house and outside risk management and communications professionals to address enterprise liability and risk assessment, as well as corporate reputation and communications crisis management.

Paul's trial practice encompasses a variety of commercial litigation and arbitration, including insurance coverage and bad faith defense, state and national class action defense, commercial torts, internet disparagement disputes, insurance sales practices and distribution system challenges, consumer fraud claims, and unfair trade practices claims.

Paul won a \$50,000,000 verdict for a commercial client in a five week jury trial in Wausau, Wisconsin state court. The \$50,000,000 verdict appeared in the National Law Journal's annual listing of Top 100 Verdicts, ranking as the second largest professional liability verdict in the nation that year, and the forty-fifth largest verdict overall. Paul was recently named as one of only eleven "Exceptional Insurance Lawyers" in the country in the *BTI Client Service All-Stars Report in 2014*, a recognition based solely on nominations by corporate general counsel.

Paul has served on the Litigation Committee and the Class Action Subcommittee of the American Council of Life Insurers, is a fellow of the American College of Coverage and Extracontractual Counsel, and is a member of the Society of Corporate Insurance Litigators, and the Association of Life Insurance Counsel.

Representative Experience

Defense of putative national class action challenging policy loan interest rate assessed on portfolio life insurance products (motion to dismiss granted) -- *Case Number 2:11-CV-00071-RTR, Eastern District of Wisconsin*

Defense of putative national class action challenging interpretation of the lifetime benefits clause of disability insurance products (summary judgment granted) -- *Case Number 3:12-CV-00560, Middle District of Tennessee*

Representative Experience

Currently prosecuting claims against former life insurance agents engaged in fraudulent STOLI scheme to recover commissions and other losses sustained by the insurer -- *Case Number 3:11-CV-00279-LAB-BGS, Southern District of California*

Successful prosecution of lawsuits asserting tortious interference and RICO claims for two different insurers, resulting in injunctions shutting down the publication of defamatory and extortionate websites created by terminated life insurance producers -- *Case Number CIV-10-4039, District of South Dakota, and Case Numbers 1:06-CV-1095-SEB-VSS, and Case Number 1:05-CV-0299-LJM-TAB, Southern District of Indiana*

Successful prosecution of commercial tort and professional liability claims resulting in \$50 million jury verdict in favor of client -- ranked 42nd largest verdict in the National Law Journal's Top 100 Verdicts for 2012 -- *Case Number 10-CV-110, Marathon County, Wisconsin*

Defense of individual life insurance sales practices claims asserting fraud and misrepresentation arising out of the premium-financed based sale of multiple Corporate Owned Life Insurance policies -- *Case Number 1:11-CV-08864-PAE, Southern District of New York*

Currently defending life insurance sales practices actions challenging the suitability of replacements of variable and portfolio life insurance products -- *Case Number CV-13-3525-CAS, Central District of California, and Case Number 3:13-CV-00268-FDW-DSC, Western District of North Carolina*

Co-defense of putative national class action challenging method of calculating Cost of Insurance charges in indexed universal life insurance products (summary judgment granted, certification denied) -- *Case Number 2:09-CV-01158-LA, Eastern District of Wisconsin*

Currently co-defending individual life insurance sales practices lawsuit challenging premium-financed sale of \$10 million life insurance policy purchased for estate planning purposes -- *Case Number 2011-01977, Suffolk County Superior Court, Massachusetts*

Defense of multi-plaintiff life insurance sales practices and "selling away" claims seeking recovery of real estate investment losses and rescission of life insurance policies -- *Case Number 27-CV-10-4943, Hennepin County, Minnesota*

Defense of individual disability insurance coverage and bad faith claims -- *Case Number CV-2009-028727, Maricopa County Superior Court, Arizona*

Currently defending lawsuit claiming entitlement to life insurance benefits after lapse and attempted reinstatement of the subject life insurance policy -- *Case Number 1:12-CV-05246, Northern District of Illinois*

Professional Association Memberships

Society of Corporate Insurance Litigators

Association of Life Insurance Counsel

Fellow of the American College of Coverage and Extracontractual Counsel

Honors

Recognized by *Benchmark Litigation* as a Local Litigation Star (General Commercial, Insurance and Securities, 2022)

AV Preeminent Rated™ Lawyer by *Martindale-Hubbell*

Honors

Listed in *Best Lawyers in America* (Commercial Litigation, Insurance Law, 2012 - present)

Recognized by *Chambers USA: America's Leading Lawyers for Business* (2012)

Recognized as a *Wisconsin Super Lawyer* (2009 - present)

Recognized by 2013 BTI Client Service All-Stars Report as one of eleven "Exceptional Insurance Lawyers" in the country